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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION NO. 1973 OF 2005
IN
WRIT PETITION NO. 67 OF 1996

Vincent Menezes (since deceased) throughhis legal heirs - 1. Ms. Irene Benedicta d/o Vincent Menezes; & ors. ... Applicants

V/s

1. Lily Mary Kenny & ors. ... Respondents

Miss Alpa Javeri for the applicants.

Ms. J.P. Thakkar for the respondents.

**CORAM: SMT. NISHITA MHATRE, J.**

DATED: 13TH APRIL, 2007.

**P.C.**:

1. This application has been filed by the heirs of the petitioner who has died on 16.7.2004. The advocate for the respondent Nos. 2 and 4 has raised an objection to this application being granted since there is a delay in filing the civil application. The petitioner has expired on 16.7.2004 and the civil application is filed on 13.1.2005. The delay in filing the civil application has been adequately explained by the applicants.

2. Hence, the civil application is allowed. Amendment to be carried out within two weeks from today.

(SMT. NISHITA MHATRE, J.)